

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 3, 2002**

E030750 People v. Jose Enrique Barraza

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E030172 People v. Glenn C. Estrada

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

COURT OF APPEAL, FOURTH APPELLATE DISTRICT
DIVISION TWO, RIVERSIDE, June 3, 2002

In the matter of the admission of Attorneys to the practice of law.

The Court of Appeal, Fourth Appellate District, Division Two, met in special session at 10:00 a.m., June 3, 2002, at the Riverside Superior Court, Dept 1, Historic Courthouse.

Court was called to order by Henry Espinoza, Assistant Clerk/Administrator of the Court.

Present were Presiding Justice Manuel A. Ramirez and Associate Justice Barton C. Gaut; and Judge Stephen G. Larson, U.S. District Court. Presiding Justice Ramirez made introductory comments and addressed the admittees and all present.

Presiding Justice Ramirez called upon Penelope Alexander-Kelley, Board Member of the San Bernardino County Bar Association, Dan E. Buchanan, President of the Riverside County Bar Association and Aurora E. Hughes on behalf of the Federal Bar Association; each addressed the admittees briefly.

Presiding Justice Ramirez called upon Janet M. Green on behalf of the State Bar Board of Governors and Beverly J. Gassner, on behalf of the Committee of Bar Examiners, who notified the Court a motion has been made before the California Supreme

Court on behalf of the Committee. The Movant then orally certified to the Court that those present have passed the Bar Examination and otherwise fulfilled the requirements for admission to the practice of law in California.

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Justice Barton C. Gaut introduced the following new admittees to those present: Jason Monroe Ackerman, Robert Bunn Bullock, Veronica DeAlba, James Orlan Douglass, David Ernest Grande, Kelly Shain Hollen, James David Madden, Rosa Linda Mapes-Price, Filemon Kevin Samson, Paul Patrick Sanchez, Jeanette Theresa Sullivan.

At the direction of Presiding Justice Ramirez, Deputy Clerk, Yolanda Burns, read section 6068 of the Business and Professions Code (State Bar Act) having to do with the duties and obligations of an attorney.

Presiding Justice Ramirez administered the oath and congratulated the new admittees. Judge Stephen G. Larson administered the oath and congratulated the new admittees to the U.S. District Court.

The Court in special session was adjourned.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 4, 2002**

Court convened at 9:00am

Panel 1

Present:

Ramirez, P.J.

McKinster, J.

Ward, J.

Elizabeth Ceballos, Deputy Clerk

E029375 People v. Reneice N. Lang et al.

Merits. Cause called and Anthony Brooklier, Esq., argued for appellant; Robert M. Foster, Deputy Attorney General, argued for respondent. Cause submitted.

E028811 People v. Daniel Ibarra et al.

Merits. Cause called and Jerome P. Wallingford, Esq., argued for appellant Charles Praphatananda; George L. Schraer, Esq., argued for appellant Daniel Ibarra; Robert Foster, Deputy Attorney General, argued for respondent. Cause submitted.

E029025 People v. Leroy K. Johnson

Merits. Cause called and Diane L. Nichols, Esq., argued for appellant; Marvin E. Mizell, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

Hollenhorst, Acting P.J.

Richli, J.

Gaut, J.

Madeline Mozee, Deputy Clerk

E029545 People v. Nicholas Cenizoros Espinoza

Merits. Cause called and Lance A. Cantos, Deputy District Attorney, argued for appellant. Alemayehu G. Mariam, Esq., argued for respondent; Cause submitted.

E030246 People v. Khaled Amhad

Merits. Cause called and Alex Mendoza, Esq., argued for appellant; Kelley A. Johnson, Deputy Attorney General, argued for respondent. Cause submitted.

E028738 People v. Hector A.

Merits. Cause called and Wilson Adam Schooley, Esq., argued for appellant; Jeffrey J. Koch, Deputy Attorney General, argued for respondent. Cause submitted.

E029205 People v. Jose Munoz

Merits. Cause called and Chris Truax, Esq., argued for appellant; Jeffrey J. Koch, Deputy Attorney General, argued for respondent. Cause submitted.

E029520 People v. Keith Duane Arline

Merits. Cause called and Patrick M. Ford, Esq., argued for appellant; Kevin R. Vienna, Deputy Attorney General, argued for respondent. Cause submitted.

E030041 People v. Nakia Lee Smith

Merits. Cause called and David Q. McClure, Esq., argued for appellant; Kevin R. Vienna, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a

Present:

Hollenhorst, Acting P.J.

Richli, J.

Ward, J.

Madeline Mozee, Deputy Clerk

E029769 William Graber v. City of Upland et al.

Merits. Cause called and T. Peter Pierce, Esq., argued for appellants; Kathryn Reimann, Deputy County Counsel, argued for respondent County of San Bernardino; C. Robert Ferguson, Esq., argued for respondent William Graber. Cause submitted.

E029975 Joseph Fijak v. Jeffrey Hollander et al.

Merits. Cause called and G. Marshall Hann, Esq., argued for appellants; Lucien A. VanHulle, Esq., argued for respondent. Cause submitted.

Court adjourned.

E030350 People v. Raul Alvarez

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E030732 In re Alex D., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Jose C.**

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 5, 2002**

Court convened at 8:30am

Panel 3
Present:
Ramirez, P.J.
McKinster, J.
Gaut, J.
Steven McElroy, Deputy Clerk

**E028977 In re the Marriage of Fabio Marcotulli and Kathleen Marcotulli
Smith**

**Fabio Marcotulli v. Kathleen Marcotulli Smith; Bruno Marcotulli,
as Trustee, etc.**

Merits. Cause called and Kathleen Marcotulli Smith argued as appellant in propria persona; Frederic S. Wieder, Esq., argued for respondent. Cause submitted.

E029302 Nancy Richter v. Travelerslife and Annuity

Merits. Cause called and Raymond Arthur Novell, Esq., argued for appellant; Glen L. Kulik, Esq., argued for respondent. Cause submitted.

E029444 Charles Farley v. Riverside County Personnel Board et al.

Merits. Cause called and James Kosnett, Esq., argued for appellant; Beauford T. Miller, Deputy Counsel Counsel, argued for respondents. Cause submitted.

E029493 Robert D. Eden et al. v. PrimeCare Medical Group Coachella Valley

Merits. Cause called and Glenn Edward Solomon, Esq., argued for appellant; no appearance for respondent. Cause submitted.

E028760 Joann Reid v. Fontana Unified School District et al.

Merits. Cause called and James S. Wiederschall, Esq., argued for appellants; Tyron J. Sheppard, Esq., argued for respondent. Cause submitted.

E029952 Oscar Aguilar v. County of Riverside

Merits. Cause called and David Kay, Esq., argued for appellant; Christopher Lockwood, Esq., argued for respondent. Cause submitted.

E030072 DMC, Inc. v. Downey Savings & Loan Association

Merits. Cause called and Michael G. York, Esq., argued for appellant; Michael John Hassen, Esq., argued for respondent. Cause submitted.

E030518 Katherine A. Valdovinos v. Javier S. Valdovinos

Merits. Cause called and Jeffrey W. Doeringer, Esq., argued for appellant; Mark MacCarley, Esq., argued for respondent. Cause submitted.

E030677 Williams Communications, Inc. v. Seymour Lazar et al.

Merits. Cause called and Douglas S. Phillips, Esq., argued for appellants; James C. Powers, Esq., argued for respondent. Cause submitted.

Court adjourned.

**E030928 In re Anthony H., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Barbara H.****Opinion**

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029005 People v. Christopher Fernando Blanks et al.

Petition for rehearing is denied.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 6, 2002**

E030978 People v. Bruce Robert Jansen

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**E030675 In re Raymond M., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Carla N.**

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E029109 People v. Marvin Eugene Hutchinson

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 7, 2002**

E030436 People v. Norman F. Culpepper

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029308 People v. Crystal Marie Penn

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E030677 Williams Communications, Inc. v. Seymour Lazar et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 10, 2002**

**E031059 In re M.G., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Barbara G.**

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

E030072* DMC, Inc. v. Downey Savings & Loan Association

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

CERTIFIED FOR PUBLICATION

E029545 People v. Nicholas Ceniseros Espinoza

Opinion

Judgment reversed; remanded for further proceedings.

Hollenhorst, Acting P.J.

We concur: Richli, J., Gaut, J.

E029205 People v. Jose Munoz

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E030246 People v. Khaled Amhad

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Gaut, J.

**E028977 In re the Marriage of Fabio and Kathleen Marcotulli.
Bruno Marcotulli, as Trustee, etc. v. Kathleen Marcotulli
Kueber Smith**

Opinion

Judgment affirmed.
Ramirez, P.J.
We concur: McKinster, J., Gaut, J.

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E028760 Joann Reid v. Fontana Unified School District et al.

Opinion

Judgment Reversed.
Gaut, J.
We concur: Ramirez, P.J., McKinster, J.

E029520 People v. Keith Duane Arline

Opinion

Judgment affirmed.
Richli, J.
We concur: Hollenhorst, Acting P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 11, 2002**

**E030518 In re the Marriage of Katherine and Javier S. Valdovinos.
Katherine A. Valdovinos v. Javier S. Valdovinos**

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029952 Oscar Aguilar, etc. v. County of Riverside

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029084* Angel A. Landeros et al. v. California Dept. of Corrections

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

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**E030573 In re Makayla L., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Ricki F. et al.**

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Gaut, J.

**E029493 Robert D. Eden et al. v. PrimeCare Medical
Group of Coachella Valley, Inc.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E031463 Norma R. v. Superior Court;

Department of Children's Services

Opinion

Petition denied.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 12, 2002**

E030653 People v. John Michael Simon

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 13, 2002**

E030041 People v. Nakia Lee Smith

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E029444 Charles Farley v. Riverside County Personnel Board et al.

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 14, 2002**

E029341 People v. David Fernando Ortiz

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

E031144 People v. Steven Louis Crane

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 17, 2002**

E028485 People v. William Foster Mills, Jr.

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 18, 2002**

**E030542 In re Christopher G., a Person Coming Under the Juvenile Court
Law. People**

v. Christopher G.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**E030162 In re Gilbert R., a Person Coming Under the Juvenile Court Law.
People**

v. Gilbert R. Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

E030042 People v. Chris Willingham

Opinion

Judgment affirmed as modified.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**E029539 In re the Marriage of Rebecca B. Abrams and William Abrams
Rebecca B. Abrams v. William Abrams**

Judgment affirmed in part with directions; reversed in part.

Opinion

Gaut, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

E029769* William Graber et al. v. City of Upland et al.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

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E030100 People v. Ladon Robinson

Opinion

Judgment modified and affirmed with directions.

Hollenhorst, Acting J.

We concur: Richli, J., Ward, J.

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**E030948 In re Alyssa A., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Lisa A.**

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E030598 In re Jonathan F., a Person Coming Under the Juvenile Court Law.
People v. Jonathan F.**

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., Ward, J.

**E031685 Dean M. Zoglio, Sr. v. Superior Court of the County of Riverside;
Linda Abrants.**

Petition for writ of supersedeas granted.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 19, 2002**

E029375 People v. Reneice Nicole Lang et al.

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 20, 2002**

E028811 People v. Daniel Ibarra et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 21, 2002**

E028892 People v. Kristy Ann Lewis

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029256 People v. David Leroy Turner

Opinion

Judgment affirmed in part; reversed in part.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 24, 2002**

E029306 People v. Dimitrius Phelix Brannon

No change in judgment.

Modification of

Opinion

Denial of petition for rehearing.

Ward, J.

We concur: Ramirez, P.J., McKinster, J.

E029714 People v. Louis Thornton

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Richli, J., Ward, J.

E029144 Bijan Hakimian v. Ollie Dickinson

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E030354 Teresa McDonald-Jackmond v. Retamal & Retamal et al.

Opinion

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 25, 2002**

**E030596 In re Hallie M., a Person Coming Under the Juvenile Court Law.
People v. Hallie M.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Ward, J.

E029674 People v. Richard Estrada

Opinion

Judgment affirmed with modifications.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

E030545 People v. Thomas F. Harrison

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

E029359 People v. Robert Ruiz

Opinion

Judgment affirmed.

Ward, J.

We concur: McKinster, Acting P.J., Richli, J.

E027956 People v. Archer B. Hudson

Opinion

Judgment affirmed in part; Count 7 is reversed.

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E029817 People v. Teri Elizabeth Mitchell

Opinion

Judgment affirmed.

Ward, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

**E030807 In re Claudio S., a Person Coming Under the Juvenile Court Law;
People v. Claudio S.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Ward, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 26, 2002**

E030261 People v. Bruce Love

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Ward, J.

**E030881* In re Daniel H., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. Amelia M.**

Opinion

Judgment affirmed.

McKinster, J.

I concur: Ward, J.

I concur by opinion: Ramirez, P.J

*CERTIFIED FOR PUBLICATION

E030210* Apple Valley Unified School District v. Vavrinek, Trine, Day & Co. et al.

No change in judgment.

Modification of

Opinion

Petition for rehearing denied.

Richli, Acting P.J.

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E030643 In re Christopher S. et al., Persons Coming Under the Juvenile Court Law;

Department of Children's Services v. Kenneth S.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

E029892 People v. Michio Negrón

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Ward, J.

**E029982 In re Cynthia F., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Amanda F.**

No change in judgment.

Modification of Opinion

Petition for rehearing denied.

Richli, Acting P.J.

I concur: Gaut, J.

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E028640 People v. Leonard Anthony Resendez

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029567 People v. Jose A. Camarena

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**E030224* Department of Alcoholic Beverage Control v. Alcoholic Beverage
Control**

Appeals Board; Renee Vicary

Opinion

Petition for writ of review granted.

Hollenhorst, Acting P.J.

We concur: McKinster, J., Gaut, J.

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**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 27, 2002**

E029818 People v. David Lee Wyatt

Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: Ramirez, P.J., McKinster, J.

E029163 People v. William John McMahan

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Gaut, J.

E029302 Nancy Richter v. Travelerslife and Annuity

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
June 28, 2002**

**E029449* Villa de las Palmas Homeowners Association v. Paula
Terifaj, as Trustee, etc.**

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

*CERTIFIED FOR PUBLICATION

**E028977 In re the Marriage of Fabio and Kathleen Marcotulli
Bruno Marcotulli v. Kathleen Marcotulli Kueber Smith
Petition for rehearing denied.**